

MHW

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ELAINE L. CHAO, Secretary of Labor,
United States Department of Labor,

Plaintiff,

v.

**DAVID J. JACOBS, NORTHWESTERN
PLATING WORKS, INC., and
NORTHWESTERN PLATING WORKS, INC.
PROFIT SHARING PLAN,**

Defendants.

CIVIL ACTION

No. 08-CV-02725

Hon. George W. Lindberg

DEFAULT JUDGMENT AGAINST DEFENDANTS


Plaintiff Elaine L. Chao, Secretary of Labor, United States Department of Labor (Secretary), having filed her complaint, Defendant David J. Jacobs (Jacobs), Northwestern Plating Works, Inc. (NPW); Northwestern Plating Works, Inc. Profit Sharing Plan (Plan), having been duly served with a copy of the complaint and summons; defendants having failed to plead or otherwise defend within the time prescribed by law; default of defendants having been entered by the Court on July 23, 2008; and amount owed by defendants Jacobs and NPW having been verified by the attached declaration of Brenda Willis; now, therefore upon application of the Secretary and for cause shown,

JUDGMENT IS HEREBY ENTERED against the defendants in accordance with the prayer of the complaint in the above-styled action; and it is:

ORDERED, ADJUDGED, AND DECREED that:

- A. Defendants Jacobs and NPW are permanently enjoined from violating the provisions of Title I of ERISA;
- B. Defendants Jacobs and NPW are permanently enjoined from serving as fiduciaries to any ERISA-covered Plan;
- C. Defendants Jacobs and NPW are hereby ordered to correct any prohibited transactions in which they engaged or for which they are liable, including disgorgement of any profits derived therefrom;
- D. Defendants Jacobs and NPW are hereby liable for the total amount of \$1,294,161.95 to the Plan, including lost opportunity costs, for losses resulting from fiduciary breaches committed by defendants Jacobs and NPW or for which they are liable and are hereby immediately ordered to restore all such amounts which have not yet been restored to the Plan.
- E. The Secretary is hereby awarded the costs of this action.

Dated: This 27 day of August, 2008.


HONORABLE GEORGE W. LINDBERG
UNITED STATES DISTRICT COURT JUDGE